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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)	
)	Case No.: 2:13-cr-00365-JAD-CWH
Plaintiff,)	
)	STIPULATION TO CONTINUE TRIAL
vs.)	(Third Request)
)	
MANUEL ALBERT PEREZ,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel Bodgen, United States Attorney; Susan Cushman, Assistant United States Attorney, counsel for the United States of America and Gabriel L. Grasso, Esq., counsel for defendant Perez:

THAT THE TRIAL CURRENTLY SCHEDULED FOR August 12, 2014, be vacated and set to a time convenient for the Court but no earlier than 45 days.

FURTHER, THAT THE CALENDAR CALL CURRENTLY SCHEDULED FOR August 4, 2014, be vacated and set to a time convenient for the Court.

1. Defendant is charged in a five-count indictment with Conspiracy to Distribute of Methamphetamine in violation of 18 U.S.C. §§ 846, 841(a)(1), and (b)(1)(A) and related offenses.

2. Government counsel has tendered a proposed written plea agreement to the defendant. Defense counsel has requested additional time to discuss the plea agreement with his client.

3. The parties agree to the continuance.

4. Defendant Perez is not incarcerated and does not object to the continuance.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code Sections 3161(h)(1)(G), and (7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

7. This is the third request for a continuance.

DATED this 30th day of July, 2014.

Respectfully submitted,

DANIEL G. BOGDEN
United States Attorney

/s/ Susan Cushman

SUSAN CUSHMAN
Assistant United States Attorney

/s/ Gabriel Grasso

GABRIEL L. GRASSO
Counsel for Defendant Perez

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)	
)	Case No.: 2:13-cr-00365-JAD-CWH
Plaintiff,)	
)	ORDER TO CONTINUE TRIAL
vs.)	
)	
MANUEL ALBERT PEREZ,)	
)	
Defendant.)	

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Government counsel has tendered a proposed written plea agreement to defendant Perez. Counsel for Perez needs additional time to discuss the government's proposed offer with his client.

2. Denial of this request for a continuance would deny the parties herein sufficient time and opportunity to effectively and thoroughly prepare for trial in this case, taking into account the exercise of due diligence.

3. The parties agree to the continuance.

4. Defendant Perez is not incarcerated and does not object to the continuance.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,

1 United States Code Sections 3161(h)(1)(G) and (7)(A), when considering the factors under Title
2 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(8)(7)(iv).

3 7. This is the third request to continue trial.

4 For all of the above-stated reasons, the end of justice would best be served by a
5 continuance of the trial dates.

6 CONCLUSIONS OF LAW

7 The ends of justice served by granting said continuance outweigh the best interest of the
8 public and the defendant in a speedy trial, since the failure to grant said continuance would be
9 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
10 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
11 account the exercise of due diligence.


12 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
13 United States Code Sections 3161(h)(1)(G) and (7)(A), when considering the factors under Title
14 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

15 ORDER

16 IT IS ORDERED that the calendar call currently scheduled for August 4, 2014, be
17 vacated and continued to Wednesday, September 24, 2014, at 9:30 a.m.

18 IT IS FURTHER ORDERED that the trial currently scheduled for August 12, 2014, be
19 vacated and continued to Tuesday, September 30, 2014, at 9:00 a.m.

20 DATED this _ 31st day of July, 2014.

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22 
23 UNITED STATES DISTRICT JUDGE
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